

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00047, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON TRACT 1C2, BLOCK 9, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Ramon Garcia** has applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow for a planned residential development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **R-2 (Residential)** District:

Tract 1C2, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and

2. That a planned residential development is authorized by Special Permit in **R-2 (Residential)** districts under Section 20.12.040 of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under Section 20.12.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-2 (Residential)** district regulations and subject to the approved Site Development Plan, signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy

of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00047** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this 15th day of **June, 2004**.

THE CITY OF EL PASO

Joe Wardy
Mayor

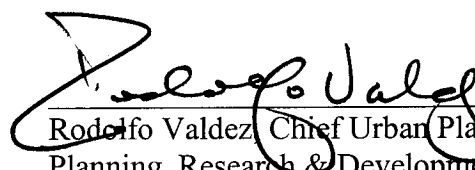
ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

AGREEMENT

Ramon Garcia, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-2 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 5th day of May, 2004.

By: Ramon Garcia
Owner
(name/title)

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 5 day of May, 2004, by **Ramon Garcia**, as Applicant.

My Commission Expires: 8-13-2007 Kristen Marie Carrillo
Notary Public, State of Texas
Notary's Printed or Typed Name:
KRISTEN MARIE CARRILLO

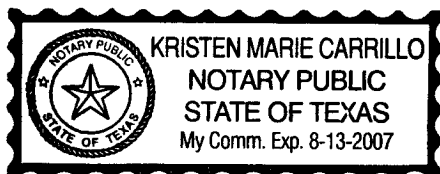


Exhibit "A"

SERGIO I. AGUILAR, P. E.
2704 IDALIA AVE.
EL PASO, TEXAS 79930
April 6, 2004

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF TRACT 1C2, TRACT 9, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY TEXAS, CONTAINING 65,340 SQUARE FEET OR 1.500 ACRES OF LAND, MORE OF LESS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE COMMON LINE OF TRACTS 1C3 AND 1C WITH THE NORTHERN RIGHT-OF-WAY LINE OF GOMEZ ROAD, THENCE, ALONG SAID RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 70.00 FEET, TO **THE TRUE POINT OF BEGINNING**;

THENCE, ALONG THE COMMON LINE OF TRACTS 1C3 AND 1C, OF SAID BLOCK 9, NORTH 00 DEGREES 08 MINUTES 00 SECONDS EAST, A DISTANCE OF 277.08 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 89 DEGREES 32 MINUTES 00 SECONDS EAST, A DISTANCE OF 236.35 FEET, TO A POINT FOR CORNER:

THENCE, SOUTH 00 DEGREES 08 MINUTES 00 SECONDS WEST, A DISTANCE OF 275.84 FEET, TO A POINT IN THE NORTHERN RIGHT-OF-WAY LINE OF GOMEZ ROAD, AND POINT FOR CORNER;

THENCE, ALONG SAID RIGHT-OF-WAY LINE NORTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 236.35 FEET TO **THE TRUE POINT OF BEGINNING**, CONTAINING 65,340 SQUARE FEET OR 1.500 ACRES OF LAND, MORE OR LESS.

